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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

SKINVISIBLE PHARMACEUTICALS,
INC.,

Plaintiff,

v.

SUNLESS BEAUTY, LTD., et al.,

Defendants.

2:11-CV-1591 JCM (CWH)

ORDER

Presently before the court is defendant Angie Trelstad's motion for pro se litigant to file electronically. (Doc. #12). Plaintiff Skinvisible Pharmaceuticals, Inc. has not filed a response.

Also before the court is Trelstad's motion seeking an extension to file an answer to the complaint. (Doc. #13). Plaintiff has not filed a response.

Finally before the court is Skinvisible's motion for entry of default. (Doc. #15). Defendants have not filed a response.

I. Permission to File Electronically

Pursuant to the United States District Court of the District of Nevada's Special Order #109, the ability to file electronically is reserved for attorneys unless the court grants a non-attorney authorization to use the electronic filing system (CM/ECF). It appears that Trelstad's motion requesting permission to file electronically was filed on behalf of all defendants. As explained below, corporations may be represented only by licensed counsel.

1 Accordingly, the court construes the motion seeking permission to file electronically as
2 seeking permission to allow only Trelstad to use the court's CM/ECF system in order to file, access,
3 and electronically serve documents in this case. The court finds that good cause appears to permit
4 Trelstad to file electronically.

5 **II. Motion Seeking an Extension to File an Answer**

6 It appears that Trelstad's motion to extend time was filed in both her individual and
7 representative capacities, as well as on behalf of defendants Sunless Beauty, Ltd. and TMTA, LLC.
8 Corporations, such as Sunless Beauty and TMTA, may only appear in federal court through licensed
9 counsel. *See Rowland v. California Men's Colony*, 506 U.S. 194, 201-02 (1993); *see also United*
10 *States v. High Country Broad. Co., Inc.*, 3 F.3d 1244, 1245 (9th Cir. 1993).

11 Thus, while the court finds good cause to grant Trelstad her requested extension, a licensed
12 attorney must appear on behalf of Sunless Beauty and TMTA to defend this action. Accordingly,
13 Sunless Beauty and TMTA shall have until December 14, 2011, to retain counsel if they intend to
14 continue to litigate this matter.

15 **III. Motion for Entry of Default**

16 Plaintiff seeks default against Angie Trelstad in her individual capacity, as a member and
17 manager of TMTA, and as president of Sunless Beauty for failure to file an answer or otherwise
18 defend. Plaintiff also seeks entry of default against TMTA for failure to answer.

19 No default can be entered where a defendant has indicated an intent to defend the action. *See*
20 *Direct Mail Specialists, Inc. v. Eclat Computerized Tech., Inc.*, 480 F.2d 685, 689 (9th Cir. 1988).
21 Trelstad has indicated such an intent by filing the motion seeking permission to file electronically
22 and the motion seeking an extension of time in which to answer the complaint. Furthermore, this
23 court has granted TMTA until December 14, 2011 to retain licensed counsel. Accordingly, the
24 motion seeking entry of default is denied.

25 Therefore,

26 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED, that defendant Angie
27 Trelstad's motion seeking permission to file electronically (doc. #12) be, and the same hereby is,
28

1 GRANTED as to Trelstad.

2 a. On or before **December 14, 2011**, Trelstad must provide certification that she has
3 completed the CM/ECF tutorial and is familiar with Electronic Filing Procedures,
4 Best Practices, and the Civil & Criminal Events Menu that are accessible on this
5 court's website, www.nvd.uscourts.gov.

6 b. Trelstad is not authorized to file electronically until said certification is filed with the
7 court within the time frame specified.

8 c. Upon timely filing of the certification, Trelstad shall contact Robert Johnson at the
9 CM/ECF Help Desk at (702) 464-5555 to set up a CM/ECF account.

10 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED, that defendant Angie
11 Trelstad's motion seeking an extension of time in which to file an answer (doc. #13) be, and the
12 same hereby is, GRANTED as to Trelstad. Defendant Trelstad shall have until **December 14, 2011**,
13 to file an answer to the complaint.

14 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED, that defendants Sunless
15 Beauty and TMTA retain counsel if they wish to continue to litigate this matter. Defendants Sunless
16 Beauty and TMTA shall have until **December 14, 2011**, to cause an attorney to make an appearance
17 on their behalf. Failure to do so may result in an adverse judgment against them.

18 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED, that plaintiff Skinvisible's
19 motion for entry of default (doc. #14) be, and the same hereby is, DENIED.

20 DATED December 1, 2011.

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23 UNITED STATES DISTRICT JUDGE